

May 24, 2013

Hon. Magistrate A. Kathleen Tomlinson
United States Magistrate Judge
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: Diallo v. County of Suffolk, et al.
Docket No. CV12-4524 (LDW)(AKT)

Hon. Magistrate Tomlinson:

Pursuant to your Honor's order of this date and the scheduling order of January 4, 2013 the defendants submit this letter on behalf of all parties to advise the Court of the status of discovery in the above captioned action. We can report to the Court that discovery is proceeding on schedule and that there are no pending disputes requiring court intervention.

Respective counsel for the parties have been in continual contact and have exchanged most if not all documentary discovery relating to the claim. The defendants have also indicated to the plaintiff that they have no objection to the release of certain U.S. currency that was seized from the plaintiff at the time of his arrest. Unfortunately, a delay was occasioned in facilitating the release of this money due to an internal police department chain of command issue. This issue has been resolved and the currency should be provided to the plaintiff shortly. The parties are continuing to work toward a reasonable resolution of the matter and are confident, in the event the matter cannot be settled, that all discovery will be completed within the time frame contemplated by the scheduling order.

I thank the Court for its consideration of this matter.

Respectfully submitted,

DENNIS M. BROWN.
Suffolk County Attorney

By: _____
Brian C. Mitchell
Assistant County Attorney – State & Federal Torts Bureau

cc: Benjamin Heinrich, Esq.(via ECF)